

LR 205.4 Electronic Filing and Service of Legal Papers

1. The Prothonotary of Beaver County is hereby authorized to accept filings of legal papers by electronic transmission in accordance with Pa. R.C.P. No. 205.4 and this rule at the following website:

[http:// www lexisnexis.com/fileandserve](http://www.lexisnexis.com/fileandserve)

To obtain access to the **electronic** filing system, all filing parties shall apply for a Username and Password at this website. **[or use computer terminals provided at the Office of the Prothonotary of Beaver County.]**

Upon the acceptance of a filing by electronic transmission, the Prothonotary, or the Prothonotary's agent shall provide the filing party with a filing status message which sets forth the date and time of acceptance of the filing.

(a) A legal paper includes a writ of summons or a complaint that is original process naming an original defendant or an additional defendant but does not include a notice of appeal from a Board of Arbitration **[or]**, a notice of appeal from a Magisterial District Judge, **or papers relating to Protection From Abuse.**

(b) All legal papers filed by electronic transmission shall be filed in Microsoft Word for Windows, Word Perfect for Windows or Adobe PDF format. To the extent practical, legal papers shall comply with the requirements of LR Nos. 205.2(a) and 205.2(b). In addition, each page shall be numbered at the bottom center of the page and the case number shall appear, in at least twelve point font,

in the upper right-hand corner of each page. **All papers filed electronically shall include the electronic mail address of the filing person.**

Lexis-Nexis File and Serve will convert any Word or Word Perfect file to PDF Format but the original format shall also be made available to the court. The official record of the court is the PDF version.

(c) Signatures on Electronically Filed Legal Papers

Every legal paper filed and/or served electronically shall be deemed to have been signed if it bears a typographical signature of the filing person, e.g., /s/ John Doe, Esq., along with the typed name, address, telephone number and Supreme Court identification number of the filing attorney. Such typographical signatures shall be treated as personal signatures for all purposes under the Pennsylvania Rules of Civil Procedure. Judges may, in the alternative, use graphic signatures.

2. All legal papers must be filed electronically **as set forth in [in accordance with]** the schedule hereinafter set forth. **For all cases pending on the effective date for electronic filing for that category of cases, the filing party shall also provide the Prothonotary with a hard copy of each legal paper filed electronically.** Filing parties must register with Lexis-Nexis File and Serve **at the website set forth in subpart 1, unless the filer is not represented by an attorney.** Should any party or attorney deliver a legal paper to the

Prothonotary in hard copy for filing, the Prothonotary shall electronically upload the legal paper to Lexis-Nexis File and Serve and may assess a filing fee and service fee for the same. All filing parties shall also file a written request for notice of the entry of an order or judgment by electronic means.

(a) In addition to all other applicable fees, the Prothonotary is authorized to collect an automation fee of \$5.00 for each initial filing and the sum of \$1.00 per page for each page of a legal paper which is not presented in electronic format. The Prothonotary shall not accept a legal paper for filing prior to payment of or the satisfactory arrangements for payment of the required fees. The Prothonotary may delegate the collection and disbursement of fees to Lexis-Nexis File and Serve.

(b) The schedule for legal papers to be filed electronically and the effective date for electronic filing for each category of cases is as follows:

	<u>Type of Case</u>	<u>Effective Date</u>
1.	Mortgage Foreclosure	Cases initiated on or after September 18, 2006
2.	Judgments by Confession and Municipal Claims	Cases initiated on or after November 13, 2006
3.	All Other Civil Matters Except Divorce and Child Custody	Cases pending or initiated on or after February 12, 2007
4.	Divorce and Child Custody	Cases pending or initiated on or after April 2, 2007

3. The Prothonotary need not maintain a hard copy of any legal paper filed electronically except as required to comply with Pa. R.C.P. No. 205.4(b) (2) (ii), cases called for trial, cases appealed to an appellate court, cases transferred to another court, and those portions of cases at issue in an argument scheduled before this Court. On request by the Prothonotary, the filing party shall submit a hard copy of each paper filed electronically to enable the Prothonotary to comply with this part of this Rule.

Further, for all cases pending on the effective date for electronic filing, the filing party shall provide the Prothonotary with a hard copy of each paper filed electronically.

4. The Prothonotary shall provide a computer terminal or terminals for public access to electronically filed legal papers.

5. A legal paper **submitted [accepted]** for filing shall be deemed to have been filed as of the date and time it was received by the electronic filing system **and, if filed electronically by 11:59 p.m. E.T., shall be considered filed once the transmission is successfully completed as recorded on the Lexis-Nexis File and Serve System.** If a legal paper is rejected by the Prothonotary, it shall be forthwith returned to the filing party and a reason for its rejection shall be specified. Subject to the provisions of section **7 [6]**, a rejected legal paper shall be deemed as not having been filed.

6. An electronically filed document is deemed served only upon selection of parties to be served and submission according to the File and Serve procedure. The associated transaction receipt will list the parties selected for service and give proof of date, time and method of service.

7. Any filing party for whom the failure of the website or the erroneous rejection of the legal paper resulted in an untimely filing may petition the Court to request that the legal paper be deemed filed as of the submission dates, such petition shall state the date and time of the failure or rejection, the reason why the legal paper could not be submitted in person, the reason the rejection was erroneous and the reason the legal paper could not be timely resubmitted.

8. Parties not represented by counsel must file electronically with the assistance of the Prothonotary or remotely through a File and Serve Account available solely to pro se litigants and known as a basic account. If a pro se party files remotely, service must be made electronically through File and Serve to the extent feasible. Otherwise, pro se parties must serve legal papers conventionally in accordance with the Pennsylvania Rules of Civil Procedure and the Beaver County Local Rules of Civil Procedure.